

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION  
Judge Edward J. Davila  
Courtroom 4 - 5th Floor  
Civil Minute Order – Jury Trial**

Date: June 23, 2015

Courtroom Deputy Clerk: Elizabeth Garcia

Court Reporter: Irene Rodriguez, Lee-Anne Shortridge

**TIME IN COURT:** 6 hrs, 50 mins  
(8:30 – 10:06 AM, 10:26 – 12:11 PM, 1:30 – 3:31, 3:46 – 4:16, 4:20 – )

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**CASE NUMBER: 5:13-cv-04745-EJD**

**TITLE:** Travelers Property Casualty Company of America v. Kaufman & Broad Monterey Bay, Inc. et al

Plaintiff(s) Attorney(s) present: Raymond Brown, Eric. Aguilera, Dana Falstad, Donald Shaw

Defendant(s) Attorney(s) present: John O'Hara, Michael Studenka

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**PROCEEDINGS: Jury Trial**

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**ORDER AFTER HEARING:**

8:30 AM – 10:06 AM: Jury summoned. Plaintiff calls J. Cole for direct examination. Side bar conference also held.

10:06 AM – 10:26 AM: The Court takes the midafternoon recess.

10:26 AM – 10:51 AM: Cross examination of J. Cole.

10:51 AM – 11:03 AM: Redirect examination of J. Cole.

11:03 AM – 11:04 AM: Recross examination of J. Cole.

11:04 AM – 11:05 AM: Redirect examination of J. Cole.

11:05 AM – 11:56 AM: No further questions of witness. Witness excused. Plaintiff rests subject to rebuttal evidence. Defense case in chief. Defense calls D. Simons for direct examination. Side bar conferences also held.

11:56 AM – 12:11 PM: Jury dismissed for lunch recess. The Court holds further hearing outside the presence of the jury.

12:11 PM – 1:30 PM: Hearing concludes. The Court takes the lunch recess.

1:30 PM – 1:40 PM: Hearing outside the presence of the jury.

1:40 PM – 1:56 PM: Jury summoned. Proceedings resume. Continued direct examination of D. Simons. Side bar conference also held.

1:56 PM – 2:31 PM: Cross examination of D. Simons. Side bar conference also held.

2:31 PM – 2:41 PM: Redirect examination of D. Simons.

2:41 PM – 2:50 PM: Side bar conference held.

2:50 PM – 2:54 PM: Recross examination of D. Simons.

2:54 PM – 3:18 PM: No further questions of witness. Witness excused. Defense calls M. Glaspy for direct examination.

3:18 PM – 3:31 PM: The Court excuses the jury for the midafternoon recess. The Court holds further hearing outside the presence of the jury and witness. The Court addresses for the record that a note was submitted by juror no. 8. The Court's preference is to not respond to notes during the course of trial.

3:31 PM – 3:46 PM: the Court takes the midafternoon recess.

3:46 PM – 4:16 PM: Further hearing outside the presence of the jury.

4:16 PM – 4:20 PM: Hearing concludes. The Court take a brief recess.

4:20 PM – 4:39 PM: Jury summoned. Continued direct examination of M. Glaspy.

4:39 PM – 5:05 PM: Cross examination of M. Glaspy.

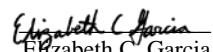
5:05 PM -5:23 PM: Jury dismissed for evening recess. Further hearing outside the presence of the jury.

**Further jury proceedings set for June 24, 2015 at 08:30 AM**

**Exhibits Admitted in Evidence:**

Pltf: 8

Deft: 1041, 1743, 1007 (p. 100)

  
Elizabeth C. Garcia  
Courtroom Deputy  
Original: E-Filed  
CC: